

SENATE BILL 367

A2

(11r1329)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Economic Matters* —

Introduced by **Chair, Anne Arundel County Senators**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Alcoholic Beverages – Anne Arundel County – Entertainment Facility**

3 FOR the purpose of authorizing the Board of License Commissioners of Anne Arundel
4 County to issue a certain entertainment facility license to certain persons for
5 certain purposes; providing for the scope of the entertainment facility license;
6 authorizing the Board to issue a certain entertainment concessionaire license to
7 certain persons for certain purposes; providing for the scope of the
8 entertainment concessionaire license; providing that beer, wine, and liquor sold
9 under an entertainment facility license or an entertainment concessionaire
10 license may be taken into and consumed anywhere in the entertainment facility;
11 specifying that the licenses authorize the playing of music and dancing;
12 providing that certain provisions relating to a special Sunday license do not
13 apply to an entertainment facility license or an entertainment concessionaire
14 license; providing for the annual fees and payment date for the licenses;
15 providing for the application to certain persons of certain penalties and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 sanctions for violations occurring on certain premises; defining certain terms;
 2 and generally relating to alcoholic beverages and entertainment facilities in
 3 Anne Arundel County.

4 BY repealing and reenacting, without amendments,
 5 Article 2B – Alcoholic Beverages
 6 Section 8–202(a)
 7 Annotated Code of Maryland
 8 (2005 Replacement Volume and 2010 Supplement)

9 BY adding to
 10 Article 2B – Alcoholic Beverages
 11 Section 8–202(k)
 12 Annotated Code of Maryland
 13 (2005 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, with amendments,
 15 Article 2B – Alcoholic Beverages
 16 Section 9–102(h)
 17 Annotated Code of Maryland
 18 (2005 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article 2B – Alcoholic Beverages**

22 8–202.

23 (a) This section applies only in Anne Arundel County.

24 **(K) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE**
 25 **THE MEANINGS INDICATED.**

26 **(II) “CONCESSIONAIRE” MEANS A LESSEE, SUBLESSEE, OR**
 27 **ANY OTHER OPERATOR OF AN ESTABLISHMENT THAT:**

28 **1. ENGAGES IN THE DAILY SALE OF BEER, WINE, AND**
 29 **LIQUOR ON ITS PREMISES FOR CONSUMPTION ANYWHERE IN AN**
 30 **ENTERTAINMENT FACILITY; AND**

31 **2. IS OPERATED AS A CONCESSION ADJACENT TO**
 32 **BUT INDEPENDENT OF THE ENTERTAINMENT FACILITY.**

1 (III) "ENTERTAINMENT FACILITY" MEANS A FACILITY THAT
2 HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT
3 ARTICLE.

4 (2) (I) THERE IS AN ENTERTAINMENT FACILITY LICENSE.

5 (II) THE BOARD MAY ISSUE AN ENTERTAINMENT FACILITY
6 LICENSE FOR AN ENTERTAINMENT FACILITY THAT CONTAINS ONE OR MORE
7 ~~RESTAURANTS FOOD SERVICE FACILITIES, BARS, OR LOUNGES, OR OTHER~~
8 ~~ESTABLISHMENTS THAT ARE ASSOCIATED WITH AND SUPPORT PART OF THE~~
9 OPERATION OF THE ENTERTAINMENT FACILITY.

10 (III) THE ENTERTAINMENT FACILITY LICENSE ~~MAY~~ SHALL
11 BE ISSUED TO AN INDIVIDUAL OR ENTITY THAT OWNS AN ENTERTAINMENT
12 FACILITY AND HOLDS A LICENSE UNDER TITLE 9, SUBTITLE 1A OF THE STATE
13 GOVERNMENT ARTICLE.

14 (IV) AN APPLICANT FOR AN ENTERTAINMENT FACILITY
15 LICENSE NEED NOT MEET ANY LOCATION, VOTING, OR RESIDENCY
16 REQUIREMENTS.

17 (V) AN ENTERTAINMENT FACILITY LICENSE AUTHORIZES
18 THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON ANY PREMISES OF THE
19 ENTERTAINMENT FACILITY THAT IS NOT COVERED BY AN ENTERTAINMENT
20 CONCESSIONAIRE LICENSE FOR CONSUMPTION ANYWHERE IN THE
21 ENTERTAINMENT FACILITY.

22 (3) (I) THERE IS AN ENTERTAINMENT CONCESSIONAIRE
23 LICENSE.

24 (II) THE BOARD MAY ISSUE AN ENTERTAINMENT
25 CONCESSIONAIRE LICENSE TO A CONCESSIONAIRE ~~AT~~ OPERATING IN
26 CONJUNCTION WITH AN ENTERTAINMENT FACILITY.

27 (III) THE ENTERTAINMENT CONCESSIONAIRE LICENSE
28 AUTHORIZES THE HOLDER TO SELL BEER, WINE, AND LIQUOR ON THE PREMISES
29 OF THE CONCESSIONAIRE FOR CONSUMPTION ANYWHERE IN THE
30 ENTERTAINMENT FACILITY.

31 (4) (I) THE ANNUAL FEE FOR AN ENTERTAINMENT FACILITY
32 LICENSE IS ~~\$7,500~~ \$15,000.

33 (II) THE ANNUAL FEE FOR AN ENTERTAINMENT
34 CONCESSIONAIRE LICENSE IS \$5,000.

1 (III) THE ANNUAL LICENSE FEES SHALL BE PAID ON MAY 1
2 TO THE BOARD.

3 (5) (I) ~~BEER, WINE, AND LIQUOR THAT IS PURCHASED~~
4 ~~ANYWHERE IN AN ENTERTAINMENT FACILITY MAY BE TRANSPORTED AND~~
5 ~~CONSUMED ANYWHERE IN THE ENTERTAINMENT FACILITY~~ AN ENTERTAINMENT
6 FACILITY LICENSE AND A CONCESSIONAIRE LICENSE DO NOT PERMIT
7 OFF-SALES OFF-SALE PRIVILEGE IS NOT CONFERRED BY AN ENTERTAINMENT
8 FACILITY LICENSE OR AN ENTERTAINMENT CONCESSIONAIRE LICENSE.

9 (II) BEER, WINE, AND LIQUOR PURCHASED UNDER AN
10 ENTERTAINMENT FACILITY LICENSE OR ~~A~~ AN ENTERTAINMENT
11 CONCESSIONAIRE LICENSE MAY BE TAKEN INTO AND CONSUMED ANYWHERE IN
12 AN ENTERTAINMENT FACILITY.

13 (6) AN ENTERTAINMENT FACILITY LICENSE AND AN
14 ENTERTAINMENT CONCESSIONAIRE LICENSE AUTHORIZE THE PLAYING OF
15 MUSIC AND DANCING IN THEIR RESPECTIVE LICENSED PREMISES.

16 (7) SUBSECTION (D) OF THIS SECTION, RELATING TO SPECIAL
17 SUNDAY LICENSES, DOES NOT APPLY TO A LICENSE ISSUED UNDER THIS
18 SUBSECTION.

19 (8) AN ENTERTAINMENT FACILITY LICENSE OR AN
20 ENTERTAINMENT CONCESSIONAIRE LICENSE MAY NOT BE COUNTED AS A CLASS
21 B OR CLASS H LICENSE FOR PURPOSES OF § 9-102(H-1) OF THIS ARTICLE.

22 (9) THE LICENSES AND HOLDERS ARE SUBJECT TO ALL LAWS AND
23 REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES NOT
24 INCONSISTENT WITH THIS SUBSECTION.

25 (10) ANY PENALTY OR OTHER SANCTION THAT IS IMPOSED FOR A
26 VIOLATION OF A REGULATION OF THE BOARD ON THE LICENSED PREMISES OF
27 THE HOLDER OF AN ENTERTAINMENT CONCESSIONAIRE LICENSE SHALL APPLY
28 TO THE CONCESSIONAIRE THAT THE BOARD DETERMINES TO BE RESPONSIBLE
29 FOR THE VIOLATION.

30 9-102.

31 (h) The provisions of subsection (a) of this section do not apply in Anne
32 Arundel County to licenses issued under this article for premises operated as resort
33 complexes OR ENTERTAINMENT FACILITIES, INCLUDING ENTERTAINMENT
34 CONCESSIONS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.